

COOLEY GODWARD KRONISH LLP
Ronald R. Sussman
Gregory G. Plotko
1114 Avenue of the Americas
New York, New York 10036
(212) 479-6000

-and-

Robert E. Eisenbach III
101 California Street, 5th Floor
San Francisco, CA 94111-5800
(415) 693-2000

*Attorneys for Defendant and Third Party Plaintiff,
Levi Strauss & Co.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
Banco Popular Dominicano, C. Por A., :

Plaintiff and :
Counter-Claim Defendant, :

vs. :

Levi Strauss & Co., :

Defendant and :
Third Party Plaintiff, :

vs. :

Interamericana Apparel Company, Inc.; :
Interamericana Products International, S.A.; :
QST Dominicana LLC; US Paper & Chemical; :
Apparel Machinery & Supply Co.; YKK Snap :
Fasteners America, Inc.; Southern Textile :
Dominicana, Inc.; Industria Cartonera :
Dominicana, S.A. (Smurfit); The Graphic Label :
Group Dominicana, Inc.; and Tag-It Pacific, :
Inc., :

Third Party Defendants. :

----- X

INDEX No. No. 07 Civ. 6443 (LTS) (THK)

**STATEMENT REGARDING SERVICE OF
SUMMONS AGAINST UNITED STATES
CHEMICAL SUPPLY, INC.**

Defendant and Third Party Plaintiff, Levi Strauss & Co. (“LS&CO.”), by its counsel Cooley Godward Kronish LLP, respectfully states as follows:

1. On July 16, 2007, Banco Popular Dominicano, C. Por A., (“BPD”) initiated the above-referenced action (the “Action”) against LS&CO. in the United States District Court for the Southern District of New York (the “Court”).

2. In response, LS&CO. filed a third party complaint-in-interpleader (the “Interpleader Complaint”) on August 27, 2007 against the eleven third party defendants listed above including US Paper & Chemical.

3. On August 27, 2007 LS&CO. caused the Court to issue a summons against US Paper & Chemical listing the following address on the summons: 206 Mohican Road, Canadensis, Pennsylvania 18325, Attn: President. Service of the summons and third party complaint was effectuated on September 5, 2007. See Affidavit of Service [Docket no. 15].

4. On the same day LS&CO. caused the Court to issue an amended summons listing US Paper & Chemical’s address in the Dominican Republic as: Zona France Industrial de Santiago, 4ta etapa, Santiago de Los Caballeros, Dominican Republic. LS&CO. properly served a true copy of the summons, third party complaint and notice of the first pre-trial conference upon US Paper & Chemical in the Dominican Republic on October 22, 2007 pursuant to the laws of the Dominican Republic. See Affidavit of Service [Docket no. 44].

5. On or about November 29, 2007, LS&CO. received a copy of US Paper & Chemical’s answer, which indicated that US Paper & Chemical was represented by a Dominican Republic law firm, Estrella & Tupete, Calle 11 No. V-11, Jardines Metropolitanos, Santiago, Dominican Republic.

6. LS&CO. has subsequently been informed that the entity it served in the State of Pennsylvania at the address: 206 Mohican Road, Canadensis, Pennsylvania 18325, is not the correct party for this Action but a Pennsylvania corporation named “United States Paper & Chemical Supply, Inc.” which, according to its counsel, is an entity that is not affiliated with the third party defendant, US Paper & Chemical, a Dominican Republic company.

7. Being satisfied that the Pennsylvania corporation is not the proper party for this Action and based upon the representation of counsel that “United States Paper & Chemical Supply, Inc.” is not affiliated with US Paper & Chemical, the Dominican Republic company that has already appeared in this action, LS&CO. does not intend to pursue its claims in this action against the Pennsylvania corporation named “United States Paper & Supply, Inc.” and hereby withdraws its summons against this Pennsylvania corporation.

8. Notwithstanding anything to the contrary, LS&CO. does not intend to alter its amended summons dated August 27, 2007 against the third party defendant, US Paper & Chemical (a Dominican Republic company), and reserves all of its rights, claims, causes of action and defenses against third party defendant, US Paper & Chemical (a Dominican Republic company).

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK]

Dated: March 26, 2008

COOLEY GODWARD KRONISH LLP
101 California Street, 5th Floor
San Francisco, CA 94111-5800
(415) 693-2000
Robert E. Eisenbach III (Cal. Bar No. 124896)
reisenbach@cooley.com

-and-

1114 Avenue of the Americas
New York, New York 10036
(212) 479-6000

By: /s/ Gregory G. Plotko

Ronald R. Sussman
rsussman@cooley.com
Gregory G. Plotko
gplotko@cooley.com